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6 Attorneys for Defendants  
CENTOCOR ORTHO BIOTECH INC., erroneously  
7 served and sued herein as CENTOCOR, INC., and  
JOHNSON & JOHNSON  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION  
12

13 STEPHEN WENDELL & LISA  
WENDELL, his wife, for themselves and  
14 as successors in interest to MAXX  
WENDELL, deceased,

15 Plaintiffs,

16 v.

17 JOHNSON & JOHNSON ET AL,  
18 Defendants.  
19  
20

Case No. 4:09-cv-04124-CW

**STIPULATION RE EXHIBITS TO JONES  
AFFIDAVIT IN SUPPORT OF  
DEFENDANTS CENTOCOR ORTHO  
BIOTECH INC. AND JOHNSON &  
JOHNSON'S MOTION FOR SUMMARY  
JUDGMENT**

Date: February 2, 2012  
Time: 2:00 p.m.  
Place: Courtroom 2, 4th Floor

Judge: Honorable Claudia Wilken

**STIPULATION**

WHEREAS, defendants Centocor Ortho Biotech Inc. and Johnson & Johnson (collectively "Defendants") filed the Affidavit of Stella Jones in support of their Motion for Summary Judgment on December 22, 2011;

WHEREAS, the Affidavit of Stella Jones referenced Exhibits A through G, which were not filed on December 22, 2011;

WHEREAS, counsel for Plaintiffs, Kevin Haverty, has reviewed Exhibits A through G referenced in the Affidavit of Stella Jones;

WHEREAS, Defendants and Plaintiffs agree that the exhibits referenced in the Affidavit of Stella Jones be deemed filed as of December 22, 2011;

**THE PARTIES HEREBY STIPULATE AS FOLLOWS:**

1. Exhibits A through G referenced in the Affidavit of Stella Jones, which are attached to the Declaration of Michelle A. Childers filed on this date (January 17, 2012), be deemed filed as of December 22, 2011.

/s/ Kevin Haverty  
 Kevin Haverty (*pro hac vice*)  
 WILLIAMS CUKER BEREZOVSKY  
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 210 Lake Drive East, Suite 101  
 Cherry Hill, NJ 08002  
*Counsel for Plaintiffs*

/s/ Michelle A. Childers  
 Michelle A. Childers  
 DRINKER BIDDLE & REATH LLP  
 50 Freemont Street, 30th Fl.  
 San Francisco, CA 94105  
*Counsel for Centocor Ortho Biotech, Inc. and  
 Johnson & Johnson*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 1/18/2012

  
 CLAUDIA WILKEN  
 United States District Judge

**ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Michelle A. Childers, am the ECF user whose ID and password are being used to file this JOINT STIPULATION OF DISMISSAL. In compliance with General Order 45, X.B., I hereby attest that Kevin Haverty, counsel for Plaintiffs, has concurred in this filing.

/s/ Michelle A. Childers